State of California—Health and Human Services Agency
California Department of Public Health

RON CHAPMAN, MD, MPH
Director & State Health Officer

EDMUND G. BROWN JR.
Governor

January 4, 2013

Guy Ruhland, Winery Manager
Heck Cellars
15401 Bear Mountain Winery Road
DiGiorgio, CA 93203

COMPLIANCE ORDER FOR VIOLATION OF THE NITRATE AND DIBROMOCHLOROPANE (DBCP) DRINKING WATER STANDARDS, HECK CELLARS WATER SYSYTEM, SYSTEM NO. 1502012

Dear Mr. Ruhland:

The California Department of Public Health (Department) is issuing Compliance Order No. 03-19-13O-001 (enclosed) to Heck Cellars Water System (hereinafter Water System) for violation of the nitrate and DBCP drinking water standards. Domestic water produced by North Well/Well 01 (PS Code: 1502012-001), and South Well/Well 01 (PS Code: 1502012-002) of the Water System contains nitrate and DBCP at levels exceeding the Maximum Contaminant Levels (MCLs) of 45 milligrams per liter (mg/L) and 0.2 micrograms per liter (µg/L), respectively.

As required in the Compliance Order, the Water System is expected to propose a solution and implement a project to ensure that water delivered to customers meets the nitrate drinking water standard. **Until the Department determines that the Water System is in compliance with the nitrate and DBCP MCLs, you must continue to provide quarterly public notification for nitrate and DBCP, and also conduct quarterly nitrate and DBCP monitoring of both, the North and South Wells**. After providing quarterly public notification, a copy of the public notice along with a completed proof of notification form should be submitted to the Bakersfield CDPH, Drinking Water Program Office. Please note that a written response to the compliance order is required. Failure to comply may result in further enforcement action by the Department.

Please note that the time we have spent on preparing the compliance order is considered enforcement time and has been billed to the Water System at our currently billing rate of $126 per hour.

If you have any questions regarding this matter, please contact Elia Estasy in our office at (661) 335-7322.

Sincerely,

Jaswinder S. Dhaliwal, P.E.
Senior Sanitary Engineer
Tehachapi District
Southern California Branch
DRINKING WATER FIELD OPERATIONS

Enclosure: Compliance Order No. 03-19-13O-001

cc: Kern County Environment Health Services Department
Charlie Howell, Seaco Technologies, Inc.

STATE OF CALIFORNIA
CALIFORNIA DEPARTMENT OF PUBLIC HEALTH

IN RE: **HECK CELLARS WATER SYSTEM**
Water System No. 1502012

TO: Guy Ruhland, Winery Manager
Heck Cellars
15401 Bear Mountain Winery Rd.
DiGiorgio, CA 93203

BY REGISTERED MAIL

COMPLIANCE ORDER
NITRATE AND DIBROMOCHLOROPANE (DBCP) MAXIMUM CONTAMINANT LEVELS VIOLATION

Compliance Order No. 03-19-13O-001

Issued on January 4, 2013

Section 116655, Chapter 4 of the California Health and Safety Code (H&S Code) authorizes the California Department of Public Health (hereinafter Department) to issue an Order for failure to comply with a requirement of the California Safe Drinking Water Act given in Chapter 4 of the H&S Code or to comply with any permit, regulation or standard issued or adopted pursuant to Chapter 4. The Department regulates public water supply systems for compliance with all California regulations related to drinking water.

BACKGROUND

The Heck Cellars Water System (hereinafter Water System) is a nontranisent-noncommunity (NTNC) water system that is located 2 miles north of the City of Arvin, near the intersection of Comanche Drive and Bear Mountain Winery Road (just north of DiGiorgio Road). The Water System is serving a winery that distills and bottles grape juice, wine, and brandy products. The Water System's service area is about 55 acres and is comprised of several buildings and a mini-market, mobile homes and houses. The Water System serves a minimum of 25 year-round employees with a seasonal maximum population of 70 employees during the processing season. The Water System is operating under a water supply permit (No. 03-12-99P-008) issued on August 9, 1999, by the State Department of Health Services.

The facilities described in the water supply permit consist of two active wells "North Well/Well 01 (PS Code: 1502012-001)" and "South Well/Well 02 (PS Code:1502012-002)", three 20,000- gallon storage tanks, two booster pumps, two 20,000-gallon pressure tanks, and the distribution system. Continuous chlorination treatment is provided to the water produced by each well.

The two active wells are located about 140 feet apart. The Well 01 is equipped with a 75 horsepower (Hp) motor and Well 02 is equipped with 100-Hp motor. The total capacity of both wells is 500 gallons per minute. There are no well driller's logs available on file. The two wells pump to three 20,000-gallon tanks, from which water is boosted to two 20,000-gallon pressure tanks and into the distribution system. There are two booster pumps (75 and 60 Hp). The operation of the wells is controlled using a float control

valve in the 20,000-gallon storage tanks. The water from each well undergoes continuous chlorination treatment with sodium hypochlorite solution.

HISTORY

Antimony

In 2000, Well 02 violated the antimony MCL of 6 micrograms per liter (µg/L). To document the antimony MCL violation of the Water System; the Department issued a Compliance Order No. 03-19-00O-005, on March 17, 2000. Currently, both wells are in compliance with the antimony MCL (*see* **Attachment A** for details).

Nitrate and Dibromochloropropane (DBCP)

Until December 2006, the Water System was able to comply with the nitrate MCL by blending water from the Well 02 with Well 01. However, the Well 01 also started producing water exceeding the nitrate MCL. Therefore, the Water System is no longer able to comply with the nitrate MCL, even after blending.

Water produced by both wells also exceeds the 0.2 µg/L primary MCL for DBCP. Due to previous detection of DBCP in the system wells, the Department had directed the Water System to conduct quarterly monitoring for DBCP.

FINDINGS NITRATE

Wells 01 and 02 currently produce water containing nitrate at a level exceeding the nitrate MCL of 45 mg/L (*see* **Attachment A**, report from the Department's water quality database), thus prompting quarterly nitrate monitoring of both wells. The Department's water quality database shows that nitrate concentration in both wells has fluctuated over

the years from 2 mg/L to 70.1 mg/L. A graph is also provided under **Attachment B** to show the trend in nitrate concentration over time.

The last water samples collected on October 10, 2012, from Wells 01 and 02 as part of the routine quarterly monitoring, showed nitrate results of 51.0 mg/L and 59.0 mg/L, respectively, (*see* **Attachment A** for details).

DBCP

Wells 01 and 02 currently produce water containing DBCP at a level exceeding the DBCP MCL of 0.2 µg/L (*see* **Attachment A**, report from the Department's water quality database), thus prompting quarterly DBCP monitoring of both wells. The Department's water quality database shows that DBCP concentration in both wells has fluctuated over the years from non-detect to 1.2 µg/L. A graph is also provided under **Attachment B** to show the trend in DBCP concentration over time. As shown in the **Attachment A**, Wells 01 and 02 have an average DBCP concentration of 0.372 and 0.428 µg/L, respectively, (based on running annual average value from last four consecutive quarters (sampling dates: January 26, 2012, April 26, 2012, July 26, 2012, and October 10, 2012 - *see* **Attachment A** for details).

MONITORING AND REPORTING REQUREMNTS

By letter dated June 21, 2007, the Department directed the Water System to commence quarterly monitoring for nitrate and DBCP. The Water System has been conducting quarterly monitoring for nitrate and DBCP, but failed to monitor the Well 02 for nitrate

and DBCP in the 4th quarter of 2010. Therefore, the Water System violated monitoring and reporting regulations during 4th quarter of 2010. Water systems that fail to monitor in accordance with regulations are required to inform their customers of that fact in the next annual Consumer Confidence Report.

PUBLIC NOTIFICTION

When a water system monitors a source for nitrate and the level of nitrate in a single sample exceeds the MCL, the water system is required by Section 64432.1 of Chapter 15, Division 4, Title 22, of the California Code of Regulations to collect another sample from that source within 24 hours of notification of the MCL exceedance. The water system must have the second sample analyzed and if the average result of the two nitrate samples exceeds the MCL, report the result to the Department within 24 hours. If the average does not exceed the MCL, the water system must inform the Department of the results within seven days from the receipt of the original analysis. If a water system is unable to resample within 24 hours, it is required to notify the consumers by issuing a Tier 1 Public Notice pursuant to Section 64463.1 and then collect and analyze a confirmation sample within two weeks of notification of the results of the first sample. **The Water System partly complied with this requirement as explained below.**

As mentioned previously, until December 2006, the Water System was able to comply with the nitrate MCL by blending water from Well 02 with Well 01. However, water produced by Well 01 on December 06, 2006, and December 11, 2006, showed nitrate results of 46.0 and 49.0 mg/L, respectively; above the nitrate MCL of 45 mg/L. On

December 07, 2006, Mr. George Ackenheil with the Water System informed the Department of the results of the nitrate samples that were collected on December 06, 2006, as follows: Well 01 - 46 mg/L, Well 02 - 50 mg/L, and Blending Site Sample - 47 mg/L. The Department directed the Water System to collect confirmation nitrate samples and to report the results to the Department. The Water System collected the confirmation nitrate samples as directed by the Department, on December 11, 2006, and the results were as follows: Well 01 - 49 mg/L, Well 02 - 51 mg/L, and Blending Site Sample - 50 mg/L. On December 13, 2006, via email (*see* **Attachment D**), the Department contacted Mr. Ackenheil to discuss the nitrate MCL violation and directed the Water System to immediately provide public notification within 24 hours (Tier 1 violation per Section 64463.1(b) of Title 22, California Code of Regulations) for violating the nitrate MCL and submit proof of notification to the Department. The Department also directed the Water System to post the nitrate MCL violation notice at conspicuous locations within service area of the Water System. **The Department has no record of receiving the signed public notice and the proof of notification.**

Again on January 11, 2007, the Department sent another email (see **Attachment D**) to Mr. Ackenheil with updated public notice for violation of the nitrate MCL. According to the documents received from the Water System, public notification was provided on January 15, 2007. The Department received the signed public notice and the proof of notification dated January 15, 2007. Copies of nitrate public notice and proof of notification are provided under **Attachment E**. Since then, the Water System has been

providing quarterly public notice and notification of the nitrate and DBCP MCL violations and has been submitting proof of notification to the Department.

INVESTIGATION

The Water System has a small distribution system. Chlorination treatment is provided to the water produced by each well. A review of the Water System's bacteriological monitoring data shows that all distribution system samples collected in the last five years have been negative for total coliform bacteria. However, samples collected from Well 01 on April 07, 2011, October 10, 2012, and October 22, 2012, tested positive for total coliform bacteria only. Based on a review of the bacteriological quality data, it doesn't appear that nitrate contamination is coming from the Water System's septic tank.

The source of nitrate and DBCP contamination in both Wells 01 and 02 may be attributed to agricultural activities in the area surrounding the wells. The wells also have high DBCP, which is also an agricultural chemical. Protection of these sources may necessitate controlling/minimizing the agricultural activities further away from the wells.

OPTIONS

The Water System must take corrective actions to ensure that it serves domestic water to its customers that meets drinking water standards at all times. Possible solutions for the nitrate water quality problem are discussed below:

1. **Drill a replacement well** - Generally, this option is considered by water purveyors hoping to get water that is free of groundwater contaminants. Drilling a

new well may or may not solve the nitrate problem due to nitrate contamination in the area. Zone testing using services of a hydrogeologist may be helpful to isolate high nitrate and DBCP zones.

2. **Install a Nitrate and DBCP Removal Treatment Plant -** Nitrate is fairly easily removed from water using anion exchange technology and DBCP can be removed using granular activated carbon. However, the resulting nitrate waste stream (salts are generated) must be disposed of properly and the initial capital cost and ongoing operation and maintenance costs could be high.

3. **Point of Entry (POE)/Point of Use (POU) Treatment** - Point of entry/point of use treatment may also be an option; subject to meeting the requirements of the POE and POU regulations.

4. **Consolidation with a Nearby Large Water System** – Connecting to a nearby public water system, which is permitted by the Department and has adequate water supply available that meets all MCLs. The Water System may continue to exist as the retail supplier of the purchased water, or annexation of the service area to that public water system.

5. **Bottled Water** – Providing bottled water is an acceptable interim solution but requires periodic evaluations (every two years) to determine feasibility of implementing a long-term solution. The Water System currently provides bottled water for drinking and shall continue to do so until nitrate and DBCP problem is solved.

The Water System should evaluate all options, including but not limited to the above, and select a feasible long-term solution.

CONCLUSIONS OF LAW

Based on the above findings, the Department has determined that the Heck Cellars Water System has violated provisions contained in the California Health and Safety Code (H&S Code) and Title 22, California Code of Regulations (CCR). These violations include, but are not limited to, the following:

1. H&S Code Section 116555 (a)(1). Specifically, the Water System is operating wells that produce water that do not comply with the primary drinking water standard for nitrate and DBCP.

2. H&S Code, Section 116555 (a)(3). Specifically, the Water System has failed to insure that all customers are provided with a reliable and adequate source of pure, wholesome, healthful and potable water.

3. CCR, Section 64431(a). Specifically, the Water System does not at all times deliver water to its customers which contains less than 45 mg/L of nitrate, thereby failing to provide water to the public that complies with all primary drinking water standards.

4. CCR, Section 64444. Specifically, the Water System does not at all times deliver water to its customers which contains less than 0.2000 µg/L of DBCP based on a four quarter average value, thereby failing to provide water to the public that complies with all primary drinking water standards.

ORDER

To ensure that the water supplied by the Heck Cellars Water System is at all times safe, wholesome, healthful, and potable, and pursuant to Section 116655 of the H&S Code, the Water System is ordered to take the following actions:

1. Cease and desist from failing to comply with H&S Code Section 116555(a) and (c) and CCR Section 64431(a) by ensuring that customers are provided with a reliable and adequate source of pure, wholesome, healthful, and potable water, which is in compliance with all primary drinking water standards.

2. Provide public notification to all water customers of the Water System's inability to meet the nitrate and DBCP MCLs since Wells 01 and 02 are needed to meet system demand. Public notification of the nitrate and DBCP MCLs violations shall continue as long as the nitrate and DBCP MCLs are violated or until the Water System provides water that meets all applicable drinking water standards. Provide the public notice to all customers at least once every three months in accordance with Sections 64463 and 64463.1, Title 22, Chapter 15, Article 18. Public notices shall be also posted at all conspicuous locations throughout the Water System's service area. Copies of the notices, which include mandatory language for the nitrate and DBCP MCLs violations, are provided under **Attachment C. If not already provided, public notification for the nitrate and DBCL MCL violation shall be provided before January 21, 2013.**

3. Submit Proof of Notification to the Department following public notification required under Order No. 2. Submit copies of the updated public notices to the Department along with the quarterly Proof of Notification after providing each quarterly public notification. Blank Proof of Notification forms are provided

under **Attachment C. Next Proof of Notification Form is due no later than January 31, 2013.**

4. Collect quarterly nitrate and DBCP samples from both Wells 01 and 02 to determine ongoing compliance with the nitrate and DBCP MCLs. The next quarterly sample is due before **March 31, 2013.**

5. Submit bottled water certification form to the Department every quarter.

6. By **March 31, 2013**, submit a plan and time schedule to the Department for review and approval to correct the existing water quality problem and eliminate the need to deliver water that does not meet the primary drinking water standards. Beginning **June 1, 2013**, submit quarterly progress reports to the Department.

7. Complete all the improvements and/or additions outlined in the proposed project submitted pursuant to Item 6 above in accordance with the time schedule to be reviewed and approved by the Department, but not later than one year following submittal of the plan to the Department (no later than **June 30, 2014**).

8. The Department reserves the right to make such modifications to this Order as it may deem necessary to protect public health and safety. Such modifications may be issued as amendments to this Order and shall be effective upon issuance.

9. All submittals required by this Order shall be addressed to:

Jaswinder S. Dhaliwal, P.E.
Senior Sanitary Engineer
California Department of Public Health
Drinking Water Field Operations Branch
4925 Commerce Drive, Suite 120
Bakersfield, CA 93309

10. If the Water System is unable to perform the tasks specified in this Order for any reason, whether within or beyond its control, and if the Water System notifies the Department in writing no less than five days in advance of any due date, the Department may extend the time for performance if the Water System demonstrates that it has used its best efforts to comply with the schedule and other requirements of this Order.

11. If the Water System fails to perform any of the tasks specified in this Order by the time described herein or by the time subsequently extended pursuant to Item 10 above, the Water System shall be deemed to have not complied with the obligations of this Order and may be subject to additional judicial action, including civil penalties specified in H&S Code Section 116725 and 116730.

12. The State of California shall not be liable for any injuries or damages to persons or property resulting from acts of omissions by the Water System, its employees, agents, or contractors in carrying out activities pursuant to this Order, nor shall the State of California be held as a party to any contract entered into by the Water System or its agents in carrying out activities pursuant to this Order.

FURTHER ENFORCEMENT ACTIONS

Section 116650, Division 104, Part 12, Chapter 4, Article 9 of the H&S Code authorizes the Department to issue additional citations with assessment of penalties if the public water system continues to fail to correct a violation identified in a compliance order. Furthermore, Section 116625, Division 104, Part 12, Chapter 4, Article 8 of the H&S Code authorizes the Department to take

action to suspend or revoke a permit that has been issued to a public water system if the system has violated applicable law or regulations or has failed to comply with orders of the Department; and petition the superior court to take various enforcement measures against a public water system that has failed to comply with orders of the Department. The Department does not waive any further enforcement action by issuance of this order.

PARTIES BOUND

This Order shall apply to and be binding upon the Heck Cellars Water System, its officers, directors, agents, employees, contractors, successors, and assignees.

SEVERABILITY

The requirements of this Order are severable, and the Heck Cellars Water System shall comply with each and every provision thereof not withstanding the effectiveness of any provisions.

January 4, 2013
Date

Carl L. Carlucci, P.E., Chief
Central California Section
SOUTHERN CALIFORNIA BRANCH
DRINKING WATER FIELD OPERATIONS BRANCH

Issued on January 4, 2013

Attachments:

Attachment A: Antimony, Nitrate, and DBCP Data (from January 2006 to October 2012) from Department's Water Quality Database for North Well (Well 01), and South Well (Well 02)

Attachment B: Nitrate and DBCP Trend graphs.

Attachment C: Nitrate and DBCP Public Notification forms and Proof of Notification forms

Attachment D: Copies of the Emails dated December 13, 2006, and January 11, 2007.

Attachment E: Signed Nitrate Public Notice and Proof of Notification dated January 15, 2007.

cc: Kern County Environmental Health Services Department (w/o attachments)
Kern County Public Health Laboratory (w/o attachments)
Charles Howell, Seaco Technologies, Inc.

JSD/EAE

ATTACHMENT A

Antimony, Nitrate, and DBCP Data (from January 2006 to October 2012) from Department's Water Quality Database for North Well (Well 01), and South Well (Well 02)

DRINKING WATER ANALYSES RESULTS REPORT
ALL SAMPLES FOR SELECTED CHAPTER 15 GROUPS - ALL RESULTS
FOR SAMPLE DATE RANGE OF 20060101 THRU 20121129
REPORT OF COUNTY: 15 KERN

SYSTEM NO: 1502012 NAME: HECK CELLARS WATER SYSTEM
SOURCE NO: 001 NAME: NORTH WELL (WELL 01)

COUNTY: KERN
PSCODE: 1502012-001 CLASS: PTGA STATUS: AR

GROUP IDENTIFICATION / CONSTITUENT IDENTIFICATION	SAMPLE DATE		RESULT	*	MCL	DLR	TRIGGER	UNIT
IO INORGANIC								
01097 ANTIMONY	04/20/2006		2.8000		6.0000	6.0000	6.0000	UG/L
01097 ANTIMONY	12/11/2006		2.6000		6.0000	6.0000	6.0000	UG/L
01097 ANTIMONY	03/02/2010	<	.0000		6.0000	6.0000	6.0000	UG/L
NI NITRATE/NITRITE								
71850 NITRATE (AS NO3)	02/15/2006		18.0000		45.0000	2.0000	23.0000	MG/L
71850 NITRATE (AS NO3)	02/22/2006		6.5000		45.0000	2.0000	23.0000	MG/L
71850 NITRATE (AS NO3)	08/01/2006		16.0000		45.0000	2.0000	23.0000	MG/L
71850 NITRATE (AS NO3)	09/07/2006		18.0000		45.0000	2.0000	23.0000	MG/L
71850 NITRATE (AS NO3)	10/04/2006		21.0000		45.0000	2.0000	23.0000	MG/L
71850 NITRATE (AS NO3)	11/09/2006		26.0000	*	45.0000	2.0000	23.0000	MG/L
71850 NITRATE (AS NO3)	12/06/2006		46.0000	*	45.0000	2.0000	23.0000	MG/L
71850 NITRATE (AS NO3)	12/11/2006		49.0000	*	45.0000	2.0000	23.0000	MG/L
71850 NITRATE (AS NO3)	01/10/2007		52.0000	*	45.0000	2.0000	23.0000	MG/L
71850 NITRATE (AS NO3)	04/04/2007		44.0000	*	45.0000	2.0000	23.0000	MG/L
71850 NITRATE (AS NO3)	07/24/2007		66.4000	*	45.0000	2.0000	23.0000	MG/L
71850 NITRATE (AS NO3)	10/01/2007		54.0000	*	45.0000	2.0000	23.0000	MG/L
71850 NITRATE (AS NO3)	04/08/2008		45.1000	*	45.0000	2.0000	23.0000	MG/L
71850 NITRATE (AS NO3)	07/15/2008		50.0000	*	45.0000	2.0000	23.0000	MG/L
71850 NITRATE (AS NO3)	08/18/2008		51.0000	*	45.0000	2.0000	23.0000	MG/L
71850 NITRATE (AS NO3)	10/06/2008		51.0000	*	45.0000	2.0000	23.0000	MG/L

NOTE1: * = RESULT IS EQUAL TO OR GREATER THAN TRIGGER
NOTE2: .000 = RESULT WAS REPORTED AS NON-DETECTED EXCEPT FOR RAD

DRINKING WATER ANALYSES RESULTS REPORT
ALL SAMPLES FOR SELECTED CHAPTER 15 GROUPS - ALL RESULTS
FOR SAMPLE DATE RANGE OF 20060101 THRU 20121129
REPORT OF COUNTY: 15 KERN

SYSTEM NO: 1502012 NAME: HECK CELLARS WATER SYSTEM COUNTY: KERN
SOURCE NO: 001 NAME: NORTH WELL (WELL 01) PSCODE: 1502012-001 CLASS: PTGA STATUS: AR

GROUP IDENTIFICATION / CONSTITUENT IDENTIFICATION	SAMPLE DATE		RESULT	*	MCL	DLR	TRIGGER	UNIT
71850 NITRATE (AS NO3)	01/07/2009		42.0000	*	45.0000	2.0000	23.0000	MG/L
71850 NITRATE (AS NO3)	04/13/2009		46.0000	*	45.0000	2.0000	23.0000	MG/L
71850 NITRATE (AS NO3)	07/22/2009		50.0000	*	45.0000	2.0000	23.0000	MG/L
71850 NITRATE (AS NO3)	10/13/2009		56.0000	*	45.0000	2.0000	23.0000	MG/L
71850 NITRATE (AS NO3)	01/11/2010		49.0000	*	45.0000	2.0000	23.0000	MG/L
71850 NITRATE (AS NO3)	03/02/2010		32.0000	*	45.0000	2.0000	23.0000	MG/L
71850 NITRATE (AS NO3)	04/06/2010		18.0000		45.0000	2.0000	23.0000	MG/L
71850 NITRATE (AS NO3)	07/12/2010		4.5000		45.0000	2.0000	23.0000	MG/L
71850 NITRATE (AS NO3)	10/06/2010		7.8000		45.0000	2.0000	23.0000	MG/L
71850 NITRATE (AS NO3)	01/06/2011		8.4000		45.0000	2.0000	23.0000	MG/L
71850 NITRATE (AS NO3)	04/06/2011		7.0000		45.0000	2.0000	23.0000	MG/L
71850 NITRATE (AS NO3)	07/13/2011		20.0000		45.0000	2.0000	23.0000	MG/L
71850 NITRATE (AS NO3)	10/19/2011		6.2000		45.0000	2.0000	23.0000	MG/L
71850 NITRATE (AS NO3)	01/26/2012		24.0000	*	45.0000	2.0000	23.0000	MG/L
71850 NITRATE (AS NO3)	04/26/2012		44.0000	*	45.0000	2.0000	23.0000	MG/L
71850 NITRATE (AS NO3)	07/26/2012		61.0000	*	45.0000	2.0000	23.0000	MG/L
71850 NITRATE (AS NO3)	10/10/2012		51.0000	*	45.0000	2.0000	23.0000	MG/L
00620 NITRITE (AS N)	08/18/2008	<	50.0000		1,000.0000	400.0000	500.0000	UG/L
00620 NITRITE (AS N)	10/06/2008	<	50.0000		1,000.0000	400.0000	500.0000	UG/L
00620 NITRITE (AS N)	03/02/2010	<	.0000		1,000.0000	400.0000	500.0000	UG/L
S2 REGULATED SOC								
38761 DIBROMOCHLOROPROPANE (DBCP)	04/26/2006		.7100	*	.2000	.0100	.0100	UG/L

NOTE1: * = RESULT IS EQUAL TO OR GREATER THAN TRIGGER
NOTE2: .000 = RESULT WAS REPORTED AS NON-DETECTED EXCEPT FOR RAD

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ALL SAMPLES FOR SELECTED CHAPTER 15 GROUPS - ALL RESULTS
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SYSTEM NO: 1502012 NAME: HECK CELLARS WATER SYSTEM
SOURCE NO: 001 NAME: NORTH WELL (WELL 01)

COUNTY: KERN
PSCODE: 1502012-001 CLASS: PTGA STATUS: AR

GROUP IDENTIFICATION / CONSTITUENT IDENTIFICATION	SAMPLE DATE		RESULT	*	MCL	DLR	TRIGGER	UNIT
38761 DIBROMOCHLOROPROPANE (DBCP)	05/19/2006		.2400	*	.2000	.0100	.0100	UG/L
38761 DIBROMOCHLOROPROPANE (DBCP)	10/01/2007		.7600	*	.2000	.0100	.0100	UG/L
38761 DIBROMOCHLOROPROPANE (DBCP)	04/08/2008		1.1000	*	.2000	.0100	.0100	UG/L
38761 DIBROMOCHLOROPROPANE (DBCP)	07/15/2008		1.2000	*	.2000	.0100	.0100	UG/L
38761 DIBROMOCHLOROPROPANE (DBCP)	10/07/2008		.7600	*	.2000	.0100	.0100	UG/L
38761 DIBROMOCHLOROPROPANE (DBCP)	01/07/2009		1.2000	*	.2000	.0100	.0100	UG/L
38761 DIBROMOCHLOROPROPANE (DBCP)	04/13/2009		.9800	*	.2000	.0100	.0100	UG/L
38761 DIBROMOCHLOROPROPANE (DBCP)	07/22/2009		.8600	*	.2000	.0100	.0100	UG/L
38761 DIBROMOCHLOROPROPANE (DBCP)	10/13/2009		.8800	*	.2000	.0100	.0100	UG/L
38761 DIBROMOCHLOROPROPANE (DBCP)	01/11/2010		.8000	*	.2000	.0100	.0100	UG/L
38761 DIBROMOCHLOROPROPANE (DBCP)	04/06/2010		.2300	*	.2000	.0100	.0100	UG/L
38761 DIBROMOCHLOROPROPANE (DBCP)	07/12/2010		.0400	*	.2000	.0100	.0100	UG/L
38761 DIBROMOCHLOROPROPANE (DBCP)	10/06/2010		.1500	*	.2000	.0100	.0100	UG/L
38761 DIBROMOCHLOROPROPANE (DBCP)	01/06/2011	<	.0000		.2000	.0100	.0100	UG/L
38761 DIBROMOCHLOROPROPANE (DBCP)	04/06/2011		.0440	*	.2000	.0100	.0100	UG/L
38761 DIBROMOCHLOROPROPANE (DBCP)	07/13/2011	<	.0000		.2000	.0100	.0100	UG/L
38761 DIBROMOCHLOROPROPANE (DBCP)	10/19/2011		.0220	*	.2000	.0100	.0100	UG/L
38761 DIBROMOCHLOROPROPANE (DBCP)	01/26/2012		.0460	*	.2000	.0100	.0100	UG/L
38761 DIBROMOCHLOROPROPANE (DBCP)	04/26/2012		.4000	*	.2000	.0100	.0100	UG/L
38761 DIBROMOCHLOROPROPANE (DBCP)	07/26/2012		.4500	*	.2000	.0100	.0100	UG/L
38761 DIBROMOCHLOROPROPANE (DBCP)	10/10/2012		.5900	*	.2000	.0100	.0100	UG/L

NOTE1: * = RESULT IS EQUAL TO OR GREATER THAN TRIGGER
NOTE2: .000 = RESULT WAS REPORTED AS NON-DETECTED EXCEPT FOR RAD

STATE OF CALIFORNIA
DRINKING WATER PROGRAM

DRINKING WATER ANALYSES RESULTS REPORT
ALL SAMPLES FOR SELECTED CHAPTER 15 GROUPS - ALL RESULTS
FOR SAMPLE DATE RANGE OF 20060101 THRU 20121129
REPORT OF COUNTY: 15 KERN

SYSTEM NO: 1502012 NAME: HECK CELLARS WATER SYSTEM
SOURCE NO: 002 NAME: SOUTH WELL

COUNTY: KERN
PSCODE: 1502012-002 CLASS: PTGA STATUS: AR

GROUP IDENTIFICATION / CONSTITUENT IDENTIFICATION	SAMPLE DATE		RESULT *	MCL	DLR	TRIGGER	UNIT
IO INORGANIC							
01097 ANTIMONY	04/20/2006	<	2.0000	6.0000	6.0000	6.0000	UG/L
01097 ANTIMONY	12/11/2006	<	2.0000	6.0000	6.0000	6.0000	UG/L
01097 ANTIMONY	03/02/2010	<	.0000	6.0000	6.0000	6.0000	UG/L
NI NITRATE/NITRITE							
71850 NITRATE (AS NO3)	02/15/2006		57.0000 *	45.0000	2.0000	23.0000	MG/L
71850 NITRATE (AS NO3)	02/22/2006		55.0000 *	45.0000	2.0000	23.0000	MG/L
71850 NITRATE (AS NO3)	08/01/2006		53.0000 *	45.0000	2.0000	23.0000	MG/L
71850 NITRATE (AS NO3)	09/07/2006		51.0000 *	45.0000	2.0000	23.0000	MG/L
71850 NITRATE (AS NO3)	10/04/2006		52.0000 *	45.0000	2.0000	23.0000	MG/L
71850 NITRATE (AS NO3)	11/09/2006		47.0000 *	45.0000	2.0000	23.0000	MG/L
71850 NITRATE (AS NO3)	12/06/2006		50.0000 *	45.0000	2.0000	23.0000	MG/L
71850 NITRATE (AS NO3)	12/11/2006		51.0000 *	45.0000	2.0000	23.0000	MG/L
71850 NITRATE (AS NO3)	01/10/2007		51.0000 *	45.0000	2.0000	23.0000	MG/L
71850 NITRATE (AS NO3)	04/04/2007		49.0000 *	45.0000	2.0000	23.0000	MG/L
71850 NITRATE (AS NO3)	07/24/2007		70.1000 *	45.0000	2.0000	23.0000	MG/L
71850 NITRATE (AS NO3)	10/01/2007		52.0000 *	45.0000	2.0000	23.0000	MG/L
71850 NITRATE (AS NO3)	04/08/2008		44.7000 *	45.0000	2.0000	23.0000	MG/L
71850 NITRATE (AS NO3)	07/15/2008		51.0000 *	45.0000	2.0000	23.0000	MG/L
71850 NITRATE (AS NO3)	08/18/2008		51.0000 *	45.0000	2.0000	23.0000	MG/L
71850 NITRATE (AS NO3)	10/06/2008		52.0000 *	45.0000	2.0000	23.0000	MG/L

NOTE1: * = RESULT IS EQUAL TO OR GREATER THAN TRIGGER
NOTE2: .000 = RESULT WAS REPORTED AS NON-DETECTED EXCEPT FOR RAD

DRINKING WATER ANALYSES RESULTS REPORT
ALL SAMPLES FOR SELECTED CHAPTER 15 GROUPS - ALL RESULTS
FOR SAMPLE DATE RANGE OF 20060101 THRU 20121129
REPORT OF COUNTY: 15 KERN

SYSTEM NO: 1502012 NAME: HECK CELLARS WATER SYSTEM COUNTY: KERN
SOURCE NO: 002 NAME: SOUTH WELL PSCODE: 1502012-002 CLASS: PTGA STATUS: AR

GROUP IDENTIFICATION / CONSTITUENT IDENTIFICATION	SAMPLE DATE		RESULT	*	MCL	DLR	TRIGGER	UNIT
71850 NITRATE (AS NO3)	01/07/2009		46.0000	*	45.0000	2.0000	23.0000	MG/L
71850 NITRATE (AS NO3)	04/13/2009		54.0000	*	45.0000	2.0000	23.0000	MG/L
71850 NITRATE (AS NO3)	07/22/2009		48.0000	*	45.0000	2.0000	23.0000	MG/L
71850 NITRATE (AS NO3)	10/13/2009		51.0000	*	45.0000	2.0000	23.0000	MG/L
71850 NITRATE (AS NO3)	01/11/2010		53.0000	*	45.0000	2.0000	23.0000	MG/L
71850 NITRATE (AS NO3)	03/02/2010		24.0000	*	45.0000	2.0000	23.0000	MG/L
71850 NITRATE (AS NO3)	04/06/2010		27.0000	*	45.0000	2.0000	23.0000	MG/L
71850 NITRATE (AS NO3)	07/12/2010		14.0000		45.0000	2.0000	23.0000	MG/L
71850 NITRATE (AS NO3)	01/06/2011		9.1000		45.0000	2.0000	23.0000	MG/L
71850 NITRATE (AS NO3)	04/06/2011		2.2000		45.0000	2.0000	23.0000	MG/L
71850 NITRATE (AS NO3)	07/13/2011		18.0000		45.0000	2.0000	23.0000	MG/L
71850 NITRATE (AS NO3)	10/19/2011		36.0000	*	45.0000	2.0000	23.0000	MG/L
71850 NITRATE (AS NO3)	01/26/2012		45.0000	*	45.0000	2.0000	23.0000	MG/L
71850 NITRATE (AS NO3)	04/26/2012		52.0000	*	45.0000	2.0000	23.0000	MG/L
71850 NITRATE (AS NO3)	07/26/2012		51.0000	*	45.0000	2.0000	23.0000	MG/L
71850 NITRATE (AS NO3)	10/10/2012		59.0000	*	45.0000	2.0000	23.0000	MG/L
00620 NITRITE (AS N)	08/18/2008	<	50.0000		1,000.0000	400.0000	500.0000	UG/L
00620 NITRITE (AS N)	10/06/2008	<	50.0000		1,000.0000	400.0000	500.0000	UG/L
00620 NITRITE (AS N)	03/02/2010	<	.0000		1,000.0000	400.0000	500.0000	UG/L
S2 REGULATED SOC								
38761 DIBROMOCHLOROPROPANE (DBCP)	04/26/2006		.7300	*	.2000	.0100	.0100	UG/L
38761 DIBROMOCHLOROPROPANE (DBCP)	05/19/2006		1.1000	*	.2000	.0100	.0100	UG/L

NOTE1: * = RESULT IS EQUAL TO OR GREATER THAN TRIGGER
NOTE2: .000 = RESULT WAS REPORTED AS NON-DETECTED EXCEPT FOR RAD

DRINKING WATER ANALYSES RESULTS REPORT
ALL SAMPLES FOR SELECTED CHAPTER 15 GROUPS - ALL RESULTS
FOR SAMPLE DATE RANGE OF 20060101 THRU 20121129
REPORT OF COUNTY: 15 KERN

SYSTEM NO: 1502012 NAME: HECK CELLARS WATER SYSTEM COUNTY: KERN
SOURCE NO: 002 NAME: SOUTH WELL PSCODE: 1502012-002 CLASS: PTGA STATUS: AR

GROUP IDENTIFICATION / CONSTITUENT IDENTIFICATION	SAMPLE DATE		RESULT	*	MCL	DLR	TRIGGER	UNIT
38761 DIBROMOCHLOROPROPANE (DBCP)	10/01/2007		.5800	*	.2000	.0100	.0100	UG/L
38761 DIBROMOCHLOROPROPANE (DBCP)	04/08/2008		.7200	*	.2000	.0100	.0100	UG/L
38761 DIBROMOCHLOROPROPANE (DBCP)	07/15/2008		.0350	*	.2000	.0100	.0100	UG/L
38761 DIBROMOCHLOROPROPANE (DBCP)	10/07/2008		.5500	*	.2000	.0100	.0100	UG/L
38761 DIBROMOCHLOROPROPANE (DBCP)	01/07/2009		.9800	*	.2000	.0100	.0100	UG/L
38761 DIBROMOCHLOROPROPANE (DBCP)	04/13/2009		.8600	*	.2000	.0100	.0100	UG/L
38761 DIBROMOCHLOROPROPANE (DBCP)	07/22/2009		.8400	*	.2000	.0100	.0100	UG/L
38761 DIBROMOCHLOROPROPANE (DBCP)	10/13/2009		.8200	*	.2000	.0100	.0100	UG/L
38761 DIBROMOCHLOROPROPANE (DBCP)	01/11/2010		.8400	*	.2000	.0100	.0100	UG/L
38761 DIBROMOCHLOROPROPANE (DBCP)	04/06/2010		.4200	*	.2000	.0100	.0100	UG/L
38761 DIBROMOCHLOROPROPANE (DBCP)	07/12/2010		.1800	*	.2000	.0100	.0100	UG/L
38761 DIBROMOCHLOROPROPANE (DBCP)	01/06/2011		.0870	*	.2000	.0100	.0100	UG/L
38761 DIBROMOCHLOROPROPANE (DBCP)	04/06/2011	<	.0000		.2000	.0100	.0100	UG/L
38761 DIBROMOCHLOROPROPANE (DBCP)	07/13/2011		.0250	*	.2000	.0100	.0100	UG/L
38761 DIBROMOCHLOROPROPANE (DBCP)	10/19/2011		.0500	*	.2000	.0100	.0100	UG/L
38761 DIBROMOCHLOROPROPANE (DBCP)	01/26/2012		.0710	*	.2000	.0100	.0100	UG/L
38761 DIBROMOCHLOROPROPANE (DBCP)	04/26/2012		.6000	*	.2000	.0100	.0100	UG/L
38761 DIBROMOCHLOROPROPANE (DBCP)	07/26/2012		.5000	*	.2000	.0100	.0100	UG/L
38761 DIBROMOCHLOROPROPANE (DBCP)	10/10/2012		.5400	*	.2000	.0100	.0100	UG/L

NOTE1: * = RESULT IS EQUAL TO OR GREATER THAN TRIGGER
NOTE2: .000 = RESULT WAS REPORTED AS NON-DETECTED EXCEPT FOR RAD

DRINKING WATER ANALYSES RESULTS REPORT
ALL SAMPLES FOR SELECTED CHAPTER 15 GROUPS - ALL RESULTS
FOR SAMPLE DATE RANGE OF 20060101 THRU 20121129
REPORT OF COUNTY: 15 KERN

SYSTEM NO: 1502012 NAME: HECK CELLARS WATER SYSTEM COUNTY: KERN
SOURCE NO: 005 NAME: WELL BLEND FOR NITRATE & ANTIM PSCODE: 1502012-005 CLASS: DEAD STATUS: CT

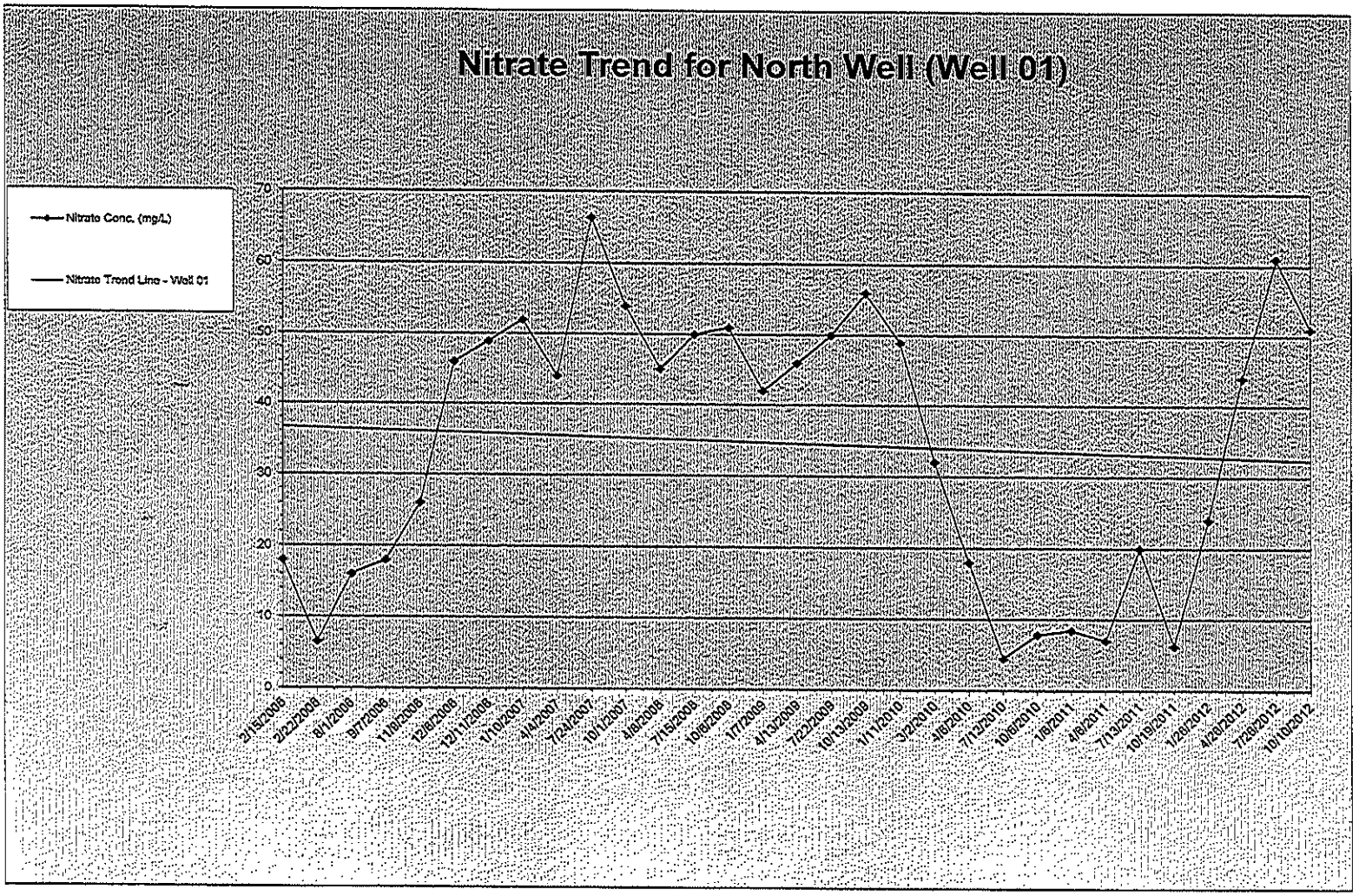
GROUP IDENTIFICATION / CONSTITUENT IDENTIFICATION	SAMPLE DATE	RESULT *	MCL	DLR	TRIGGER	UNIT
IO INORGANIC						
01097 ANTIMONY	04/20/2006	2.5000	6.0000	6.0000	6.0000	UG/L
01097 ANTIMONY	12/11/2006	2.0000	6.0000	6.0000	6.0000	UG/L
NI NITRATE/NITRITE						
71850 NITRATE (AS NO3)	02/22/2006	8.3000	45.0000	2.0000	23.0000	MG/L
71850 NITRATE (AS NO3)	05/05/2006	26.0000 *	45.0000	2.0000	23.0000	MG/L
71850 NITRATE (AS NO3)	06/01/2006	33.0000 *	45.0000	2.0000	23.0000	MG/L
71850 NITRATE (AS NO3)	07/11/2006	42.0000 *	45.0000	2.0000	23.0000	MG/L
71850 NITRATE (AS NO3)	08/01/2006	31.0000 *	45.0000	2.0000	23.0000	MG/L
71850 NITRATE (AS NO3)	10/04/2006	32.0000 *	45.0000	2.0000	23.0000	MG/L
71850 NITRATE (AS NO3)	11/09/2006	36.0000 *	45.0000	2.0000	23.0000	MG/L
71850 NITRATE (AS NO3)	12/06/2006	47.0000 *	45.0000	2.0000	23.0000	MG/L
71850 NITRATE (AS NO3)	12/11/2006	50.0000 *	45.0000	2.0000	23.0000	MG/L
71850 NITRATE (AS NO3)	07/24/2007	66.0000 *	45.0000	2.0000	23.0000	MG/L

NOTE1: * = RESULT IS EQUAL TO OR GREATER THAN TRIGGER
NOTE2: .000 = RESULT WAS REPORTED AS NON-DETECTED EXCEPT FOR RAD

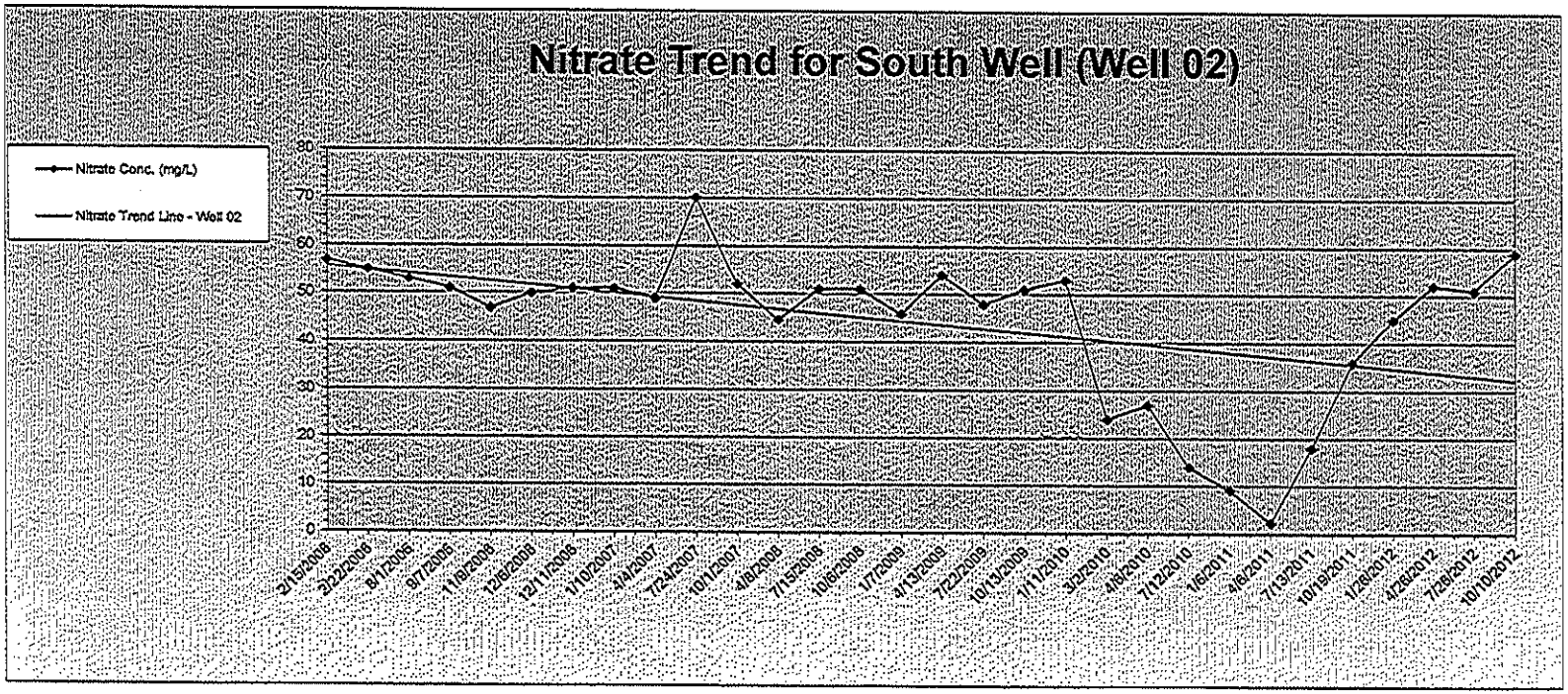
ATTACHMENT B

Nitrate and DBCP Trend Graphs

Sample Date	Nitrate Conc. (mg/L)
2/15/2006	18
2/22/2006	6.5
8/1/2006	16
9/7/2006	18
11/9/2006	26
12/6/2006	46
12/11/2006	49
1/10/2007	52
4/4/2007	44
7/24/2007	66.4
10/1/2007	54
4/8/2008	45.1
7/15/2008	50
10/6/2008	51
1/7/2009	42.0
4/13/2009	46.0
7/22/2009	50.0
10/13/2009	56.0
1/11/2010	49.0
3/2/2010	32.0
4/6/2010	18.0
7/12/2010	4.5
10/6/2010	7.8
1/6/2011	8.4
4/6/2011	7.0
7/13/2011	20.0
10/19/2011	6.2
1/26/2012	24
4/26/2012	44.0
7/26/2012	61.0
10/10/2012	51.0

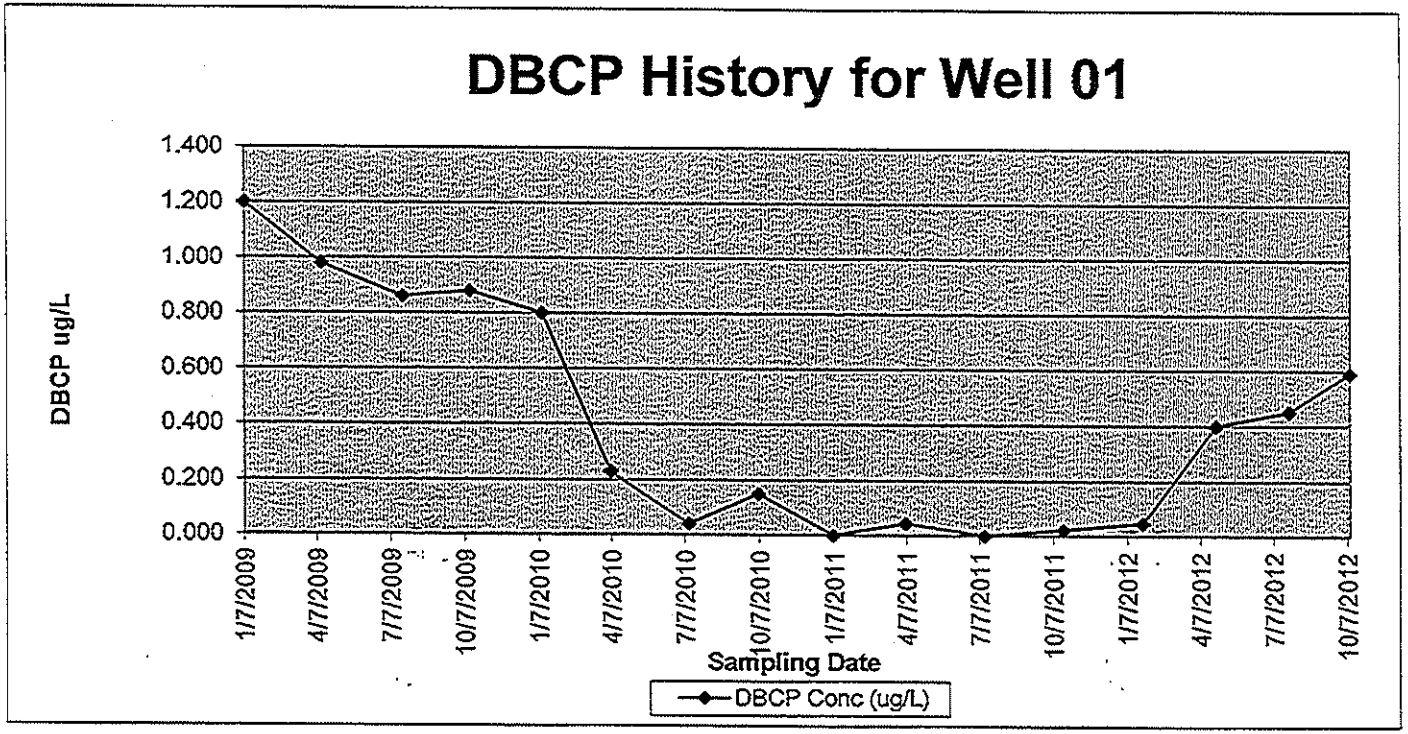


Sample Date	Nitrate Conc. (mg/L)
2/15/2006	57
2/22/2006	55
8/1/2006	53
9/7/2006	51
11/9/2006	47
12/6/2006	50
12/11/2006	51
1/10/2007	51
4/4/2007	49
7/24/2007	70.1
10/1/2007	52
4/8/2008	44.7
7/15/2008	51
10/6/2008	51
1/7/2009	46.0
4/13/2009	54.0
7/22/2009	48.0
10/13/2009	51.0
1/11/2010	53.0
3/2/2010	24.0
4/6/2010	27.0
7/12/2010	14.0
1/6/2011	9.1
4/6/2011	2.2
7/13/2011	18.0
10/19/2011	36.0
1/26/2012	45
4/26/2012	52.0
7/26/2012	51.0
10/10/2012	59.0



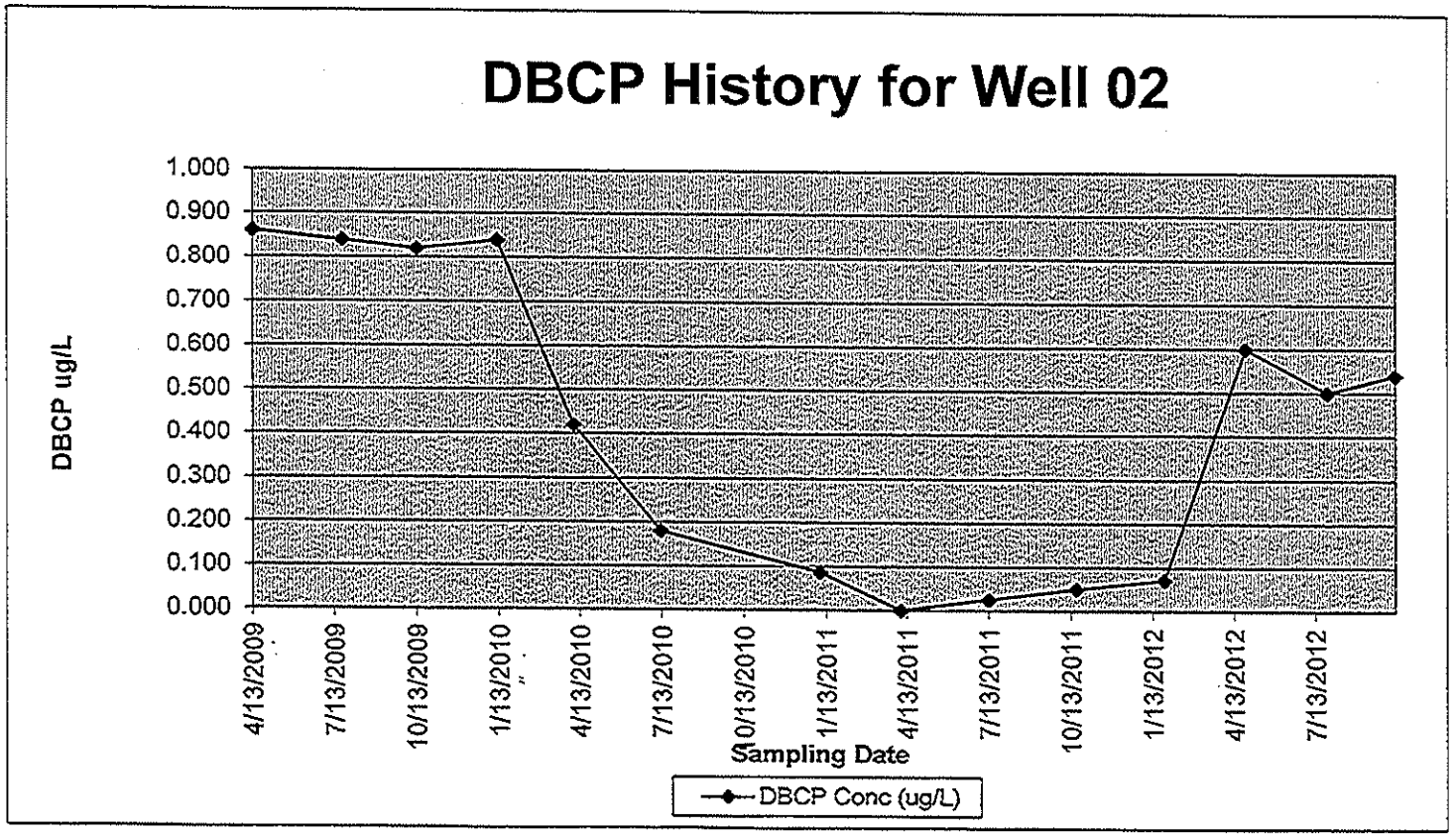
Heck Cellars
System No. 1502012
Well 01 (PS Code: 1502012-001) - DBCP Graph

Sample Date	DBCP Conc (ug/L)
1/7/2009	1.200
4/13/2009	0.980
7/22/2009	0.860
10/13/2009	0.880
1/11/2010	0.800
4/6/2010	0.230
7/12/2010	0.040
10/6/2010	0.150
1/6/2011	0.000
4/6/2011	0.044
7/13/2011	0.000
10/19/2011	0.022
1/26/2012	0.046
4/26/2012	0.400
7/26/2012	0.450
10/10/2012	0.590



Heck Cellars
System No. 1502012
Well 02 (PS Code: 1502012-002)-DBCP Graph

Sample Date	DBCP Conc (ug/L)
10/13/2009	0.820
4/13/2009	0.860
7/22/2009	0.840
10/13/2009	0.820
1/11/2010	0.840
4/6/2010	0.420
7/12/2010	0.180
1/6/2011	0.087
4/6/2011	0.000
7/13/2011	0.025
10/19/2011	0.050
1/26/2012	0.071
4/26/2012	0.600
7/26/2012	0.500
10/10/2012	0.540



ATTACHMENT C

Nitrate and DBCP Public Notification Forms
and
Proof of Notification Forms

DRINKING WATER WARNING

Heck Cellars Water System water has high levels of nitrate.

DO NOT GIVE THE WATER TO INFANTS UNDER 6 MONTHS OLD OR USE IT TO MAKE INFANT FORMULA

Both our system wells are now producing water that exceeds the nitrate MCL. Well samples for nitrate were collected on October 10, 2012, which showed the North Well/Well 01 was 51 mg/L and the South Well/Well 02 was 59 mg/L. This is above the nitrate standard, or maximum contaminant level (MCL), of 45 mg/L (milligrams per liter). Nitrate in drinking water is a serious health concern for infants less than six months old.

What should I do?

- **DO NOT GIVE THE WATER TO INFANTS.** *Infants below the age of six months who drink water containing nitrate in excess of the MCL may quickly become seriously ill and, if untreated, may die because high nitrate levels can interfere with the capacity of the infant's blood to carry oxygen. Symptoms include shortness of breath and blueness of the skin.* Symptoms in infants can develop rapidly, with health deteriorating over a period of days. If symptoms occur, seek medical attention immediately.
- **PREGNANT WOMEN SHOULD NOT CONSUME THE WATER.** *High nitrate levels may also affect the oxygen-carrying ability of the blood of pregnant women.*
- Water, juice, and formula for children under six months of age should not be prepared with tap water. Bottled water or other water low in nitrates should be used for infants until further notice.
- **DO NOT BOIL THE WATER.** Boiling, freezing, filtering, or letting water stand does not reduce the nitrate level. Excessive boiling can make the nitrates more concentrated, because nitrates remain behind when the water evaporates.
- If you have other health issues concerning the consumption of this water, you may wish to consult your doctor.

What happened? What is being done?

Nitrate in drinking water can come from natural, industrial, or agricultural sources (including septic systems, storm water run-off, and fertilizers). Levels of nitrate in drinking water can vary throughout the year. We will let you know if the amount of nitrate is again below the limit.

Currently bottled water is provided for drinking and cooking.

For more information, please contact Guy Ruhland, Winery Manager, Heck Cellars at (661) 854-6132 or California Department of Public Health at (661) 335-7315.

Please share this information with all the other people who drink this water, especially those who may not have received this notice directly (for example, people in apartments, nursing homes, schools, and businesses). You can do this by posting this public notice in a public place or distributing copies by hand or mail.

This notice is being sent to you by Heck Cellars in compliance with the California Domestic Water Quality and Monitoring Regulations as a means of keeping the public informed.

Dated: _____

_____
Guy Ruhland, Winery Manager

IMPORTANT INFORMATION ABOUT YOUR DRINKING WATER

Este informe contiene información muy importante sobre su agua potable.
Tradúzcalo o hable con alguien que lo entienda bien.

Heck Cellars Water System Has levels of Dibromochloropropane (DBCP) Above Drinking Water Standards

Our water system recently failed a drinking water standard. Although this is not an emergency, as our customers, you have a right to know what happened, what you should do, and what we are doing to correct this situation.

We routinely monitor for the presence of drinking water contaminants. Compliance with the DBCP maximum contaminant level (MCL) is based on the average concentration of four consecutive quarterly samples (or an annual average) for each well. Testing results from North Well/Well 01 and South Well/Well 02 collected over the last four quarters (January 2012 to Dec. 2012) show that our system exceeds the DBCP MCL of 0.2000 micrograms per liter (µg/L). The average DBCP concentrations from these wells are 0.372 µg/L and 0.428 µg/L, respectively.

What should I do?

- **Heck Cellars Water System is providing its customers with bottled water.**

What does this mean?

This is not an immediate risk. If it had been, you would have been notified immediately. The California Department of Health Services (Department) sets drinking water standards and has determined that DBCP is a health concern at certain levels of exposure. This organic chemical was once a popular pesticide. When soil and climatic conditions are favorable, DBCP may get into drinking water by runoff into surface water or leaching into ground water. This chemical has been shown to cause cancer in laboratory animals such as rats and mice when the animals are exposed at high levels over their lifetimes. Chemicals that cause cancer in laboratory animals also may increase the risk of cancer in humans who are exposed over long periods of time.

What happened? What was done?

Currently bottled water is available for drinking and cooking purposes.

For more information, please contact Guy Ruhland, Winery Manager, Heck Cellars at (661) 854-6123 or the California Department of Public Health at (661) 335-7315.

Please share this information with all the other people who drink this water, especially those who may not have received this notice directly (for example, people in apartments, nursing homes, schools, and businesses). You can do this by posting this notice in a public place or distributing copies by hand or mail.

This notice is being sent to you by the Heck Cellars Water System in compliance with the California Domestic Water Quality and Monitoring Regulations as a means of keeping the public informed.

Dated: _____

_____
Guy Ruhland, Winery Manager

State of California—Health and Human Services Agency
California Department of Public Health

RON CHAPMAN, MD, MPH
Director & State Health Officer

EDMUND G. BROWN JR.
Governor

PROOF OF NOTIFICATION

As required by Section 116450 of the California Health and Safety Code, I notified all users of water supplied by **Heck Cellars Water System** of the failure to comply with the nitrate maximum contaminant level during the 1st 2nd 3rd 4th quarter of _____(year).

Notification was made on _____ by
(date)

_____ **hand delivered** or **mailed/posted** _____ written notice.
(circle all completed)

_____
Signature of Water System Representative

_____
Date

DISCLOSURE: Be advised that Section 116725 and 116730 of the California Health and Safety Code state that any person who knowingly makes any false statement on any report or document submitted for the purpose of compliance with the attached order may be liable for a civil penalty not to exceed five thousand dollars ($5,000) for separate violation for each day that violation continues. In addition, the violators may be prosecuted in criminal court and upon conviction, be punished by a fine of not more than $25,000 for each day of violation, or be imprisoned in the county jail not to exceed one year, or by both the fine and imprisonment.

Due: **January 31, 2013**
Nitrate MCL Violation
System Number 1502012
Compliance Order No. 03-19-13O-001

Southern California Branch - Drinking Water Field Operations
4925 Commerce Drive, Suite 120, Bakersfield, CA 93309
phone: (661) 335-7315; fax: (661) 335-7316
Internet Address: www.cdph.ca.gov

State of California—Health and Human Services Agency
California Department of Public Health

RON CHAPMAN, MD, MPH
Director & State Health Officer

EDMUND G. BROWN JR.
Governor

PROOF OF NOTIFICATION

As required by Section 116450 of the California Health and Safety Code, I notified all users of water supplied by **Heck Cellars Water System** of the failure to comply with the DBCP maximum contaminant level during the 1st 2nd 3rd 4th quarter of _____(year).

Notification was made on _____ by
(date)

hand delivered or **mailed/posted** written notice.
(circle all completed)

_____
Signature of Water System Representative

_____
Date

DISCLOSURE: Be advised that Section 116725 and 116730 of the California Health and Safety Code state that any person who knowingly makes any false statement on any report or document submitted for the purpose of compliance with the attached order may be liable for a civil penalty not to exceed five thousand dollars ($5,000) for separate violation for each day that violation continues. In addition, the violators may be prosecuted in criminal court and upon conviction, be punished by a fine of not more than $25,000 for each day of violation, or be imprisoned in the county jail not to exceed one year, or by both the fine and imprisonment.

Due **January 31, 2013**, then quarterly
DBCP MCL Failure
System Number 1502012
Compliance Order No. 03-19-13O-001

Southern California Branch - Drinking Water Field Operations
4925 Commerce Drive, Suite 120, Bakersfield, CA 93309
phone: (661) 335-7315; fax: (661) 335-7316
Internet Address: www.cdph.ca.gov

ATTACHMENT D

Copies of the Emails dated December 13, 2006
and
January 11, 2007

From: Holsapple, Lois (DHS-DDWEM)
Sent: Wednesday, December 13, 2006 11:09 AM
To: 'George Ackenheil'
Cc: Dhaliwal, Jesse (DHS-SCDWFOB); Estasy, Elia (DHS-DDWEM)
Subject: Heck Cellars Water System (1502012) Public Notification for Nitrate MCL Violation

Attachments: Tier1 NO3 -English (Heck Cellars).doc; Proof of Notification-NO3.doc
George –

Attached is a public notice with a proof of notification for Heck Cellars Water System's violation of the nitrate MCL. The notice needs to be hand delivered and posted in conspicuous locations to the customers of the Water System. Mail or fax a signed copy of the notice along with the completed proof of notification to this office by December 22, 2006. This notice will need to be updated and posted every calendar quarter with the most current sampling results. We will soon be following-up with a compliance order for the nitrate MCL failure.

As both wells (North and South Wells) are above the Nitrate MCL, blending will no longer be required. Please collect nitrate samples from both wells quarterly and continue to report the results electronically to the Department. Further requirements will be stated in the compliance order.

Here is a summary of the most recent nitrate samples from the water system:

December 7, 2006
North Well 46 mg/L
South Well 50 mg/L
Blend Site 47 mg/L

December 11, 2006
North Well 49 mg/L
South Well 51 mg/L
Blend Site 50 mg/L

Lois Holsapple
SET, Drinking Water Program
Department of Health Services
(661) 335-7315
Fax (661) 335-7316

From: Holsapple, Lois (DHS-DDWEM)
Sent: Thursday, January 11, 2007 2:49 PM
To: 'gackenheil@korbel.com'
Cc: Dhaliwal, Jesse (DHS-SCDWFOB); Estasy, Elia (DHS-DDWEM)
Subject: Heck Cellars Water System (1502012) Public Notification for Nitrate MCL Violation

Attachments: Tier1 NO3 -English (Heck Cellars).doc; Proof of Notification-NO3.doc

George –

Per our phone conversation this afternoon, attached is a new public notice with a proof of notification for Heck Cellars Water System's violation of the nitrate MCL. The notice needs to be hand delivered and posted in conspicuous locations to the customers of the Water System. Mail or fax a signed copy of the notice along with the completed proof of notification to this office by January 19, 2007. This notice will need to be updated and posted every calendar quarter with the most current sampling results. We will soon be following-up with a compliance order for the nitrate MCL failure.

As both wells (North and South Wells) are above the Nitrate MCL, blending will no longer be required. Please collect nitrate samples from both wells quarterly and continue to report the results electronically to the Department. Further requirements will be stated in the compliance order.

Here is a summary of the most recent nitrate samples from the water system:

January 10, 2007
North Well 52 mg/L
South Well 51 mg/L
Blend Site 52 mg/L

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ATTACHMENT E

Signed Nitrate Public Notice and Proof of Notification dated January 15, 2007

DRINKING WATER WARNING

Heck Cellars Water System water has high levels of nitrate.

DO NOT GIVE THE WATER TO INFANTS UNDER 6 MONTHS OLD OR USE IT TO MAKE INFANT FORMULA

Water sample results collected on January 10, 2007, from our blended water in the distribution system showed a nitrate level of 52mg/L. Both our system wells are now producing water that exceeds the nitrate MCL. Well samples for nitrate were collected on January 10, 2007, which showed the North Well was 52 mg/L and the South Well was 51 mg/L. This is above the nitrate standard, or maximum contaminant level (MCL), of 45 mg/L (milligrams per liter). Nitrate in drinking water is a serious health concern for infants less than six months old.

What should I do?

- **DO NOT GIVE THE WATER TO INFANTS.** *Infants below the age of six months who drink water containing nitrate in excess of the MCL may quickly become seriously ill and, if untreated, may die because high nitrate levels can interfere with the capacity of the infant's blood to carry oxygen. Symptoms include shortness of breath and blueness of the skin.* Symptoms in infants can develop rapidly, with health deteriorating over a period of days. If symptoms occur, seek medical attention immediately.
- **PREGNANT WOMEN SHOULD NOT CONSUME THE WATER.** *High nitrate levels may also affect the oxygen-carrying ability of the blood of pregnant women.*
- Water, juice, and formula for children under six months of age should not be prepared with tap water. Bottled water or other water low in nitrates should be used for infants until further notice.
- **DO NOT BOIL THE WATER.** Boiling, freezing, filtering, or letting water stand does not reduce the nitrate level. Excessive boiling can make the nitrates more concentrated, because nitrates remain behind when the water evaporates.
- If you have other health issues concerning the consumption of this water, you may wish to consult your doctor.

What happened? What is being done?

Nitrate in drinking water can come from natural, industrial, or agricultural sources (including septic systems, storm water run-off, and fertilizers). Levels of nitrate in drinking water can vary throughout the year. We will let you know if the amount of nitrate is again below the limit.

Currently bottled water is provided for drinking and cooking.

For more information, please contact George Ackenheil, Maintenance Manager, Heck Cellars at (661) 854-6132.

Please share this information with all the other people who drink this water, especially those who may not have received this notice directly (for example, people in apartments, nursing homes, schools, and businesses). You can do this by posting this public notice in a public place or distributing copies by hand or mail.

This notice is being sent to you by Heck Cellars in compliance with the California Domestic Water Quality and Monitoring Regulations as a means of keeping the public informed.

Dated: 1-15-07

George E. Ackenheil
George Ackenheil, Maintenance Manager

PROOF OF NOTIFICATION
(Return with copy of the Notification)

As required by Section 116450 of the California Health and Safety Code, I notified all users of water supplied by the **Heck Cellars Water System** of the failure to meet the *nitrate* MCL for the 1st 2nd 3rd 4th quarter of 2006.
(circle one)

Notification was made by **hand delivered** and/or mailed/posted on
1-15-07 (date)

George E Ackerbert
Signature of Water System Representative

1-15-07
Date

DISCLOSURE: Be advised that Section 116725 and 116730 of the California Health and Safety Code state that any person who knowingly makes any false statement on any report or document submitted for the purpose of compliance with the attached order may be liable for a civil penalty not to exceed five thousand dollars ($5,000) for separate violation for each day that violation continues. In addition, the violators may be prosecuted in criminal court and upon conviction, be punished by a fine of not more than $25,000 for each day of violation, or be imprisoned in the county jail not to exceed one year, or by both the fine and imprisonment.

Due Quarterly
Nitrate MCL Failure
System Number 1502012

Faxed 1/16/07
cc: George
File